

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

SPALING et al.

Serial No. 09/736,574

Filed: December 15, 2000

Attention: Application Branch

Atty. Dkt. 2380-208

Date: May 8, 2001

For: **ADMISSION AND CONGESTION CONTROL IN A CDMA-BASED MOBILE RADIO COMMUNICATIONS SYSTEM**

Assistant Commissioner for Patents  
Washington, D.C. 20231

The attached completes filing of the above-identified patent application:

- ☒ **Signed Rule 63 Declaration alone.**  
☐ Signed Declaration plus attached copy of originally filed specification/drawings.  
☒ **NOTICE TO FILE MISSING PARTS OF APPLICATION FILING DATE GRANTED** form.  
☒ **Record and return the attached assignment.**  
☐ Priority is hereby claimed per Rule 55 & 35 USC119 based on prior foreign application(s) Nos.:  

Application Nos.	Country	Filing Date
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respectively.

- ☐ This application is based on the following prior provisional application(s):  

Application No.	Filing Date
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respectively and priority is hereby claimed therefrom.

Certified copy(ies) of foreign and/or provisional application(s): ☐ attached; ☐ already filed on \_\_\_\_\_ in U.S. Application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.

- ☐ The undersigned verifies that the above-identified application is identical to: \_\_\_\_\_ filed \_\_\_\_\_, as amended on \_\_\_\_\_.  
☐ This application is entitled to "Small entity" status. ☐ "Small entity" statement attached.  
☐ Also attached:

**Fees due are calculated below:**

Basic filing fee					\$	710.00
Total Effective claims	52	- 20 =	32	x \$	18.00	\$ 576.00
Independent claims	4	- 3 =	1	x \$	80.00	\$ 80.00
If any proper multiple dependent claims now added for first time, add \$270.00 (ignore improper)						\$ 0.00
<b>FILING FEE</b>						<b>\$ 1,366.00</b>
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s) (\$110.00/1 month; \$390.00/2 months; \$890.00/3 months; \$1390.00/4 months)						\$ 0.00
Surcharge (\$130.00) if Declaration or filing fee first now submitted						\$ 130.00
<b>FIRST SUBTOTAL</b>						<b>\$ 1,496.00</b>
If "small entity," enter half (1/2) of subtotal and subtract						-\$ 0.00
<b>SECOND SUBTOTAL</b>						<b>\$ 1,496.00</b>
Assignment Recording Fee (\$40.00)						\$ 40.00
<b>TOTAL FEE DUE</b>						<b>\$ 1,536.00</b>
Check enclosed (Pre-Bill)*						\$ 1,536.00
Check enclosed (non Pre-Bill)*						\$
<b>TOTAL FEE ENCLOSED</b>						<b>\$ 1536.00</b>

Any future submission requiring an extension of time is hereby stated to include a petition for such time extension. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Account No. 14-1140**. A duplicate copy of this sheet is attached.

1100 North Glebe Road, 8<sup>th</sup> Floor  
Arlington, Virginia 22201-4714  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
JRL:mm

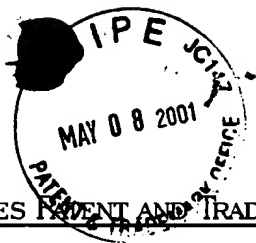
**NIXON & VANDERHYE P.C.**  
By Atty: John R. Lastova, Reg. No. 33,149

Signature: \_\_\_\_\_

\*For N&V internal accounting purposes.



UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/736,574	12/15/2000	Gerke Spaling	2380-208

CONFIRMATION NO. 3655

FORMALITIES LETTER



\*OC000000006006680\*

NIXON & VANDERHYE P.C.  
1100 North Glebe Road, 8th Floor  
Arlington, VA 22201-4714

Date Mailed: 04/25/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

05/09/2001 HMDHAMM1 00000057 09736574

FILED UNDER 37 CFR 1.53(b)

01 FC:101	710.00 OP
02 FC:105	130.00 OP
03 FC:103	576.00 OP
04 FC:102	80.00 OP

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$656.
  - \$576 for 32 total claims over 20.
  - \$80 for 1 independent claims over 3 .
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 1496.**

*A copy of this notice MUST be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE